

ASSEMBLY BILL

No. 494

**Introduced by Assembly Member Huffman
(Principal coauthor: Assembly Member Garrick)**

February 20, 2007

An act to add Section 33051.1 to the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 494, as introduced, Huffman. State Board of Education: waiver authority.

Under existing law, the governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, is authorized to request that the State Board of Education waive all or part of any section of the Education Code, or any regulation adopted by the board that implements a provision of that code, except as specified. The State Board is required to approve any and all requests for waivers except in those cases where the board makes specified findings. Existing law provides that if formal action by the State Board on a waiver request is not taken by the second regular meeting of the board following receipt of a complete and documented waiver request by the State Department of Education, the waiver is deemed approved for one year.

This bill would require the State Board and the department to review and act on a waiver request on an expedited basis, and with a minimum amount of documentation, of a school district with at least 70% of its schools receiving Academic Performance Index scores of 800 or more in each of the 2 prior years.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 33051.1 is added to the Education Code,
2 to read:
3 33051.1. The State Board and the department shall review and
4 act on a waiver request on an expedited basis, and with a minimum
5 amount of documentation, of a school district in which at least 70
6 percent of the schools in the district received scores of 800 or
7 greater on their Academic Performance Index in each of the two
8 prior years.

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